

One Year Requirement ([IC 4-22-2-25](#))

LSA Document #16-327

March 30, 2017

RE: LSA Document #16-327 – Proposed rule implements changes to various sections of [405 IAC 1-12](#), [405 IAC 1-14.5](#), [405 IAC 1-14.6](#), and [405 IAC 1-15](#) to update and clarify rate-setting, review and reimbursement policies and procedures for intermediate care facilities for individuals with intellectual disabilities (ICFs/IID), community residential facilities for the developmentally disabled (CRFs/DD), and nursing facilities, and requirements for the electronic submission of minimum data sets for nursing facilities.

On behalf of the Indiana Family and Social Services Administration, I am submitting this notice to the Publisher of the Indiana Register in compliance with [IC 4-22-2-25](#), which requires that a notice be sent to the Publisher if a rule will not be approved or deemed approved by the Governor within one year of publication of the Notice of Intent to Adopt a Rule. This notice is to be submitted to the Publisher before the two hundred fiftieth day following the publication of the Notice of Intent to Adopt a Rule.

The Notice of Intent to Adopt a Rule was published in the Indiana Register on August 3, 2016 (DIN: [20160803-IR-405160327NIA](#)).

The Proposed Rule has been prepared and the agency is in the process of preparing the fiscal and economic analyses of the Proposed Rule, as required under [IC 4-22-2-28](#). Once the Proposed Rule is published, the agency can file a Notice of Public Hearing. Following the public hearing, the agency must consider and respond to public comments and present the rule to the Secretary for final adoption. Thereafter, the Office of the Attorney General has 45 days to complete a review of the rule and supporting documentation, after which the Governor has 30 days to complete his review. As such, the Indiana Family and Social Services Administration may be unable to complete the rulemaking process by August 3, 2017. Approval or deemed approval by the Governor is expected not later than August 3, 2018.

This notice setting forth the expected date of approval or deemed approval of LSA Document #16-327 is being submitted in a timely manner. April 10, 2017, is the two hundred fiftieth day after publication of the Notice of Intent to Adopt a Rule.

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